

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
Original Jurisdiction

Dated: Nainital: the 20th day of December, 2005
Crl. Bail Application No. 1192 of 2005

Order on the bail application of accused

Criminal Side

Muzahid Ali Khan
S/o Sri Hamid Ali
R/o Mohalla Quazi Bagh
Opposite Islamiya School, Kashipur
Distt-Udham Singh Nagar Applicant

Versus

State of Uttaranchal Opposite Party

Arising out of Crime No. 8101 of 2005
Under Sections: 323/498-A of I.P.C. & 3/4 Dowry Prohibition
Act.
Police Station: Haldwani
District: Nainital.

Hon'ble Prafulla C. Pant, J.

This is bail application moved on behalf of the applicant Muzahid Ali Khan S/o Sri Hamid Ali who is in jail in connection with Case Crime No. 8101 of 2005 under Section 323/498-A, I.P.C. & 3/4 Dowry Prohibition Act, Police Station-Haldwani, District- Nainital.

Heard learned counsel for the applicant and learned A.G.A.

The F.I.R. discloses that the applicant got married to the complainant nine years before the date of the incident. The F.I.R. is delayed by more than three weeks. Admittedly, complainant's father has already died. It is not clear from whom the complainant was asked to bring the dowry demanded after nine years of marriage.

In the facts and circumstances of the case, without expressing any opinion as to the final merits of the case this Court is of the view that it is a fit case for bail. Let the applicant be released on bail on executing personal bond and furnishing of two surety bonds each of the like amount to the satisfaction of the Chief Judicial Magistrate, Nainital.

Dt. 20.12.2005

Sweta

(Prafulla C. Pant, J.)